

### **REMARKS**

The Examiner required restriction to one of the following inventions under 35 U.S.C. §121:

- I. Claims 1-11, drawn to a method for controlling a gap in an electrically conducting solid state structure;
- II. Claims 12-21, drawn to a method for controlling a gap between electrically conducting electrodes

The Applicants hereby elect Invention I, claims 1-11, drawn to a method for controlling a gap in an electrically conducting solid state structure.

New claims 22-35 are also directed to elected Invention I, as they all depend from one of claims 1-11, drawn to a method for controlling a gap in an electrically conducting solid state structure. No new matter is added by new claims 22-35.

The Applicants reserve the right to pursue Invention II, claims 12-21, drawn to a method for controlling a gap between electrically conducting electrodes, in one or more divisional applications.

### **Claim Fees**

<u>For</u>	<u>Total</u>	<u>No. Paid For</u>	<u>No. Extra</u>	<u>Sm/Lg Rate</u>	
<u>Total Claims:</u>	<u>35</u>	- <u>21</u>	= <u>14</u>	\$25/\$50	\$700.00
<u>Independent</u>					
<u>Claims:</u>	<u>02</u>	- <u>02</u>	= <u>00</u>	\$100/\$200	
<u>Multiple</u>					
<u>Dep. Claims:</u>		NO		\$180/\$360	
<b><u>TOTAL CLAIM FEE:</u></b>					<b><u>\$700.00</u></b>

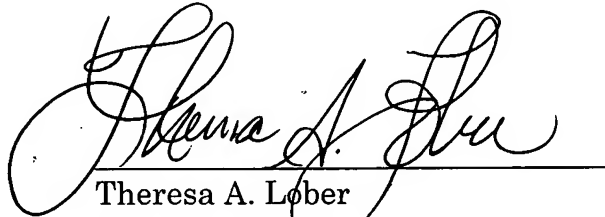
Enclosed is a check in the amount of \$700.00 to cover the claim fees.  
Please apply any deficiency in the stated fees, any other required fees, and any overpayment, to Deposit Account No. 12-1760.

If the Examiner has any questions or would like to discuss the claims, he is encouraged to telephone the undersigned Agent at the telephone number given below.

An Information Disclosure Statement accompanies this response.

Respectfully submitted,

Date: November 14, 2006  
T.A. Lober Patent Services  
45 Walden Street  
Concord, MA 01742  
Telephone 978.369.2181  
Facsimile 978.369.7101

  
Theresa A. Lober  
Reg. No. 35,253  
Agent for Applicants  
Customer Number 26247